IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

RADOSLAV DIMITRIC	8	
	§	
VS.	§	CIVIL ACTION NO. G-06-107
	§	
TEXAS A&M UNIVERSITY, ET AL.	§	

OPINION AND ORDER

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated October 26, 2006, which recommends that "Defendants Karen Watson and Fred Olson's Partial Motion to Dismiss Plaintiff's First Amended Complaint' (Instrument no. 44) be granted in part and denied in part. Plaintiff, Radoslov Dimitric, has filed timely objections.

Upon *de novo* review, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation (Instrument no. 52) of the United States Magistrate Judge is a well reasoned and correct application of law and equity to the facts of this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

It is, therefore, the **ORDER** of this Court that the "Defendants Karen Watson and Fred Olson's Motion to Dismiss Plaintiff's First Amended Complaint."(Instrument no. 44) is **GRANTED** in part and **DENIED** in part.

It is the further **ORDERED** that Dimitric's claims asserted against these Defendants under Title VII, the Age Discrimination in Employment Act, the Equal Pay Act, the Texas Whistleblower Act and the Texas Commission of Human Rights Act are **DISMISSED**.

It is the further **ORDERED** that all § 1983 claims asserted by Dimitric against Fred Olson are **DISMISSED**.

It is the further **ORDERED** that the Motion of Karen Watson to Dismiss all § 1983 claims against her is **DENIED**.

DONE at Galveston, Texas, this 1st day of December, 2006.

Samuel B. Kent United States District Judge